

## REMARKS

Receipt of the Office Action of may 7, 2009 is gratefully acknowledged.

The objection to the drawings is noted. In reply thereto, further REPLACEMENT SHEETS for Figs. 1 - 3 are being submitted herewith. The terms "MemoSave," "Memostic," and "MemoCal" have been removed from the drawings. These are memory devices, which can be deleted from the drawings without diminishing in any way the disclosure provided by the drawings.

The objection to the specification because the acronym CDI appearing on line 16 of page 2 "is not spelled out or sufficiently describe." In reply, page 2 of the specification has been amended to "spell out" this acronym.

The rejection of claims 8, 11 and 12 under 35 USC 112, second paragraph as indefinite because of the reference to the acronym CDI in claim 8 and the reference to "Ex-barrier" in claims 8 and 11 is noted. In reply, claims 8 and 11 have been amended to delete "CDI" and to change "Ex-barrier" to "Explosion-barrier" as suggested by the examiner.

The rejection of claim 8 under 35 USC 102(b) by Behrens, the rejection of claims 7 and 11 under 35 USC 103(a) over Behrens in view of Mancini et al, and the rejection of claims 9, 10 and 12 under 35 USC 103(a) over Behrens in view of Mancini et al and barros De Almeida et al are noted.

These rejections are respectfully traversed.

With respect to the rejection of claim 8 based on § 102 (b):

Behrens does not disclose "transferring the digital measurement data to a sensor-module head of the sensor via a galvanically decoupled transfer path". Isolator 48 mentioned by the examiner connects the whole I/O rack 24' with an external control terminal. It does not provide a connection between a sensor-module and a sensor-module head. Furthermore, data transferred from an I/O module to processor 16' according to Fig. 3 of Behrens is not transmitted via isolator 48.

It is well settled, that anticipation does not lie if at least one element or step of a claim is missing from the reference. That is the case here.

With respect to the claim rejections based on § 103: Claim 7 has been amended to include the method step "connecting the storage medium via an interface that serves as an Explosion-barrier with the computer unit". This is an important feature that is neither taught by the Behrens reference nor by the Mancini et al reference. Mancini et al discloses a core computer module which can be inserted into an enclosure which is suitable for use in an intrinsically safe environment. After removal of the enclosure containing the core module from the intrinsically safe environment to a non-intrinsically safe environment the core module can be removed from the enclosure and inserted into a desktop, laptop or any other enclosure for access of any data collected (cf. col. 3, l. 46-50). However, during the time the core computer module connected to the laptop or desktop, an electrostatic charge could occur within the core computer module, since the connection between the core computer module and the laptop or desktop is not intrinsically safe. For this reason, the core computer module can not simply be brought back into an intrinsically safe environment again.

However, when the storage medium is connected with a computer unit via an interface that serves as an Explosion-barrier, as claimed in amended claim 7, the electrostatic charging of the storage medium is avoided, so that it can be

safely brought back into the intrinsically safe environment and so be used repeatedly for data transfer between the intrinsically safe sensor and the non-intrinsically safe computer unit.

Behrens does not mention any portable storage medium at all. Mancini et al does not disclose connecting a storage medium via an interface that serves as an Explosion -barrier with a computer unit. Consequently, amended claim 7 can not be considered obvious in view of Behrens and Mancini et al.

Claims 11 and 13 are also not obvious in view of Behrens and Mancini et al, for a same reason.

In his rejection of claim 11, the examiner alleges that Mancini et al discloses transferring the data to a plug-in module of the computer unit in col. 3, l. 46-50 and further discloses that plug-in module is embodied as an Explosion-barrier (col. 3, l. 18-22). However, as already stated, Mancini et al discloses a core computer module that can be inserted into an enclosure casing that has intrinsically safe properties (col. 4, l. 56-58). However, for data transfer to the plug-in module (the core computer module), it has to be connected to a computer desktop or laptop. In order to connect the module to the desktop or laptop, it has to be removed from the enclosure (col. 3, l. 36-40). However, when removed from the enclosure the core computer module is no longer intrinsically safe. Thus, Mancini et al does not disclose "transferring the measurement data further to a plug-in module comprising an integrated Explosion-barrier, providing a galvanic separation, which occurs either optically, capacitively or inductively". Neither does Behrens. Therefore, amended claim 11 and new claim 13 are not obvious in view of Behrens and Mancini et al.

Attached are English abstracts of the German references cited in the IDS filed on March 22, 2006. From these abstracts ( three, with the other to referring

to U.S. Patent 5,169,234 and published application 2003/0130805 ) and from a reading of the U.S. patent cited in this IDS and those cited in the SUPPLEMENTAL IDS filed on December 13, 2007, it is noted that none of these references teach or suggest a method with the step of "transferring the digital measurement data to a sensor-module head of the sensor via a galvanically decoupled transfer path, and further to a calibration unit," at the very least.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 7 -12 found allowable.

Respectfully submitted,  
BACON & THOMAS, PLLC

Date: October 7, 2009



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**Process variable field monitoring unit has a control and evaluation unit linked to a memory module that can be used with different memory types, whereby the control unit is able to identify the type from a memory unit identifier**

Veröffentlichungsnummer DE10161401 (A1)

Veröffentlichungsdatum: 2003-06-18

Erfinder:

STRUETT BERND [DE]; SCHROTH HERBERT [DE];  
GERMAN HANS [DE]

Anmelder:

ENDRESS & HAUSER GMBH & CO KG [DE]

Klassifikation:

- Internationale: G01D9/00; G01D9/00; (IPC1-7): G01D5/12; G01D3/02;  
G01D9/00

- Europäische:

G01D9/00S

Anmeldenummer:

DE20011061401 20011213

Prioritätsnummer(n):

DE20011061401 20011213

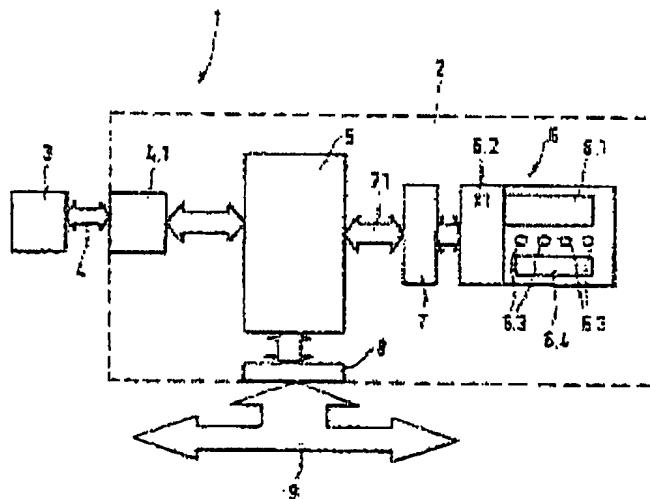
**Zitierte Dokumente**

- DE19719633 (C2)
- DE3932436 (C2)
- DE2918956 (C2)
- DE19942762 (A1)
- DE19857649 (A1)

[Mehr >>](#)

**Zusammenfassung von DE 10161401 (A1)**

Field device (1) for measuring and monitoring a process variable with a measurement sensor (3) and a field electronic unit (2). The latter has an exchangeable memory unit (6.1) linked by an interface (7) to a control and evaluation unit (5). The memory unit is part of a memory module (6) that has an individual identifier (6.2) so that the control unit can recognize different memory module types.



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## Open- and closed-loop control system with central controlling unit

Veröffentlichungsnummer DE3435100 (A1)

Veröffentlichungsdatum: 1986-04-17

Erfinder: HOFFMANN HEINFRIED [DE]; KEMMLER LOTHAR [DE]; OPL PETER [DE]

Anmelder: SAMSON AG [DE]

Klassifikation:

- Internationale: G05B15/02; G05B15/02; (IPC1-7): G05B11/00

- Europäische: G05B15/02

Anmeldenummer: DE19843435100 19840925

Prioritätsnummer(n): DE19843435100 19840925

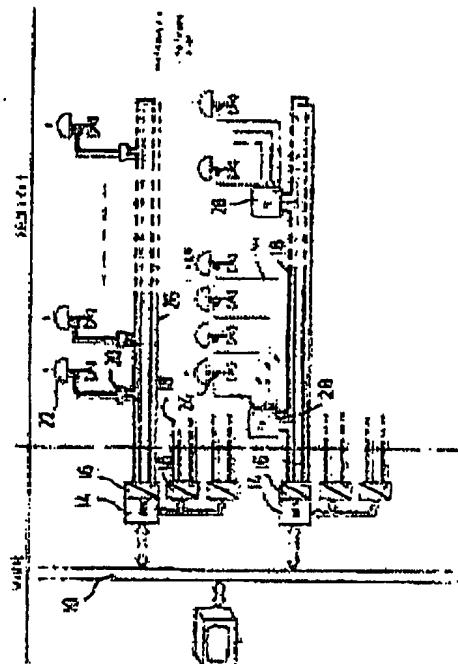
Auch veröffentlicht als

FR2570847 (A1)

IT1185383 (B)

### Zusammenfassung von DE 3435100 (A1)

An open- and closed-loop control system with central controlling unit and a plurality of decentralised closed-loop control units connected to the controlling unit via a ring line and acting on a pneumatic actuator, with a bus coupler arranged between the data bus (10) of the central controlling unit (12) and the ring line constructed as field bus (18), recoding the control data of the controlling unit (10), and DC decoupling arranged at the output end, the closed-loop control units exhibiting a serial/parallel converter (46) and a digital/analogue converter (54).



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## Device for measuring and transmitting pressure and temperature values in the area subject/not subject to explosion hazards

Veröffentlichungsnummer DE3907033 (A1)  
Veröffentlichungsdatum: 1990-09-06

Erfinder: STIRNBERG DIETER DR ING [DE]; BEESE ECKARD DR ING [DE]; GEORGE ULRICH DR ING [DE]; EWERLIN ULRICH [DE]  
Anmelder: FLOW COMP INGENIEUR GMBH [DE]

Klassifikation:

- Internationale: G08C23/06; G08C23/00; (IPC1-7): E21F17/18; G01K13/00; G01L9/00;  
G08C19/36; G09F9/33

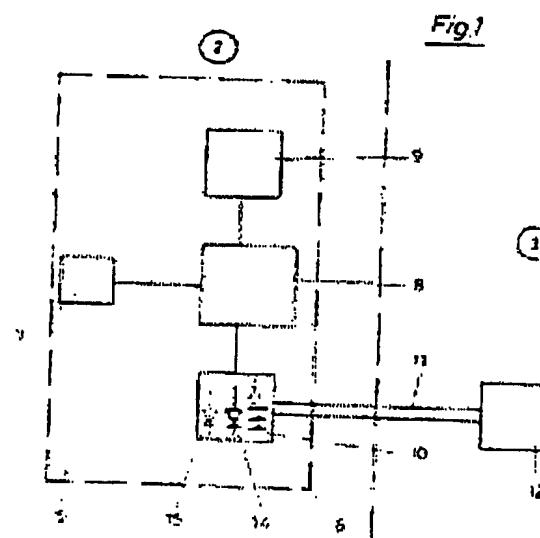
- Europäische: G08C23/06

Anmeldenummer: DE19893907033 19890304

Prioritätsnummer(n): DE19893907033 19890304

### Zusammenfassung von DE 3907033 (A1)

For transmitting data out of areas which are subject to explosion hazards the required energy is supplied by a battery integrated in the housing so that in the area which is not subject to explosion hazards power-supply units are not required. It is also not necessary to transport the required energy in any way from the area which is not subject to explosion hazards into the area which is subject to explosion hazards. Capacitive sensors or contacts and the evaluation electronics and the parts transmitting the optical pulse sequences are supplied by the battery. They operate discontinuously so that the battery is loaded to a very limited extent. In the evaluation electronics the data are converted into optical pulse sequences and fed per se via the optical transmitter or similarly suitable parts to the receiving device arranged in the area which is not subject to explosion hazards and there converted again into electrical digital data. The assessment can take place by means of a computer which accommodates the receiving device.



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